

REMARKS

Claims 3-7, 16-20, 29-33, and 41 are currently pending in the application. Claims 3-7, 16-17, 19-20, 29-33, and 41 have been amended. New claim 42 has been added. Support for the amended claims can be located at page 29, lines 17-22.

On page 2 of the Office Action, claims 3-7, 16-20, 29-33, and 41 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0062244 (Brady) in view of U.S. Patent No. 2003/0055707 (Busche).

Brady discloses an apparatus that collects information about an advertisement, selling, sales promoting, or educational campaign. The apparatus also collects information regarding capacity of various locations, characteristics of locations and users of the locations. According to Brady, collected information may be utilized for negotiating a contract amount for holding such a campaign.

Busche is directed to a method and system for ascertaining a favorable positing of products within a retailer shop space. The locations of products in a retail space are determined with a position identifying system, such as a global positioning system, a local positioning system, or an enhanced global positioning system when the products are stocked within the retail space. The paths of customers through the retail space are also determined with the position identifying system. These paths may be sensed and recorded with a device that stores a position identifier broadcast by the position identifying system. Customers may be identified based on financial transaction databases or other identifying data. The products chosen for purchase by the customers are identified, and the locations of the chosen products within the retail space are associated with the paths of the customers through the retail space to form a set of spatial relationships.

The present invention utilizes "script" (behavior script) in which behavior of a user, for example, places that a user visits and the visiting order, is described according to a prescribed specification.

On page 3 of the Office Action, the Examiner acknowledges that Brady does not explicitly disclose "a service of providing routes to a user."

Applicants respectfully submit that independent claims 3-4, 6-7, 16-17, 19-20, 29-30, 32-33, and 41 are patentable over the references, as neither Brady nor Busche, alone or in

combination, discloses or suggest, "a fee collection unit collecting a fee from a facility in response to the user utilizing place information described in the data based on at least one fee setting method for a service of providing routes to a user," as recited in claim 1, for example.

Brady simply discloses an activity value representing a fee for a presenter. Brady, however, does not provide information regarding collecting a fee in response to a user utilizing place information described in the data. Rather, in Brady, the fee for the presenter is simply a fee charged for the presenter's service.

Busche discloses "acquiring history of actual behavior of a user by using a GPS in order to use the history for fee collection. That is, in Busche, a fee can be collected only when a user actually visits the corresponding place.

In contrast, in the present invention, as described in, for example, claim 5, by using the above behavior script, in the case when there is a user who is interested in a place, it is possible to charge a fee in accordance with the situation of the user being interested in the place and the situation of usage of data even when the user does not actually visit the place, such as in the case in which data is only registered, behavior data is only created, or behavior data is only provided to the user. As a result, it is possible to increase chances of charging fees, and to prepare wide variations of setting of fees.

Applicants respectfully submit that in contrast to the present invention, Busche simply discloses mapping positions of objects. No information is provided regarding collecting a fee from a facility in response to a user utilizing place information. In fact, Busche is silent regarding collecting fees. Therefore, the references, alone or in combination, do not disclose or suggest, collecting a fee in response to a user utilizing place information described in data. Hence, independent claims 3-4, 6-7, 16-17, 19-20, 29-30, 32-33, and 41 are patentable over the references.

Applicants respectfully submit that independent claims 5, 18, and 31 are patentable over the references, as neither of the references, alone or in combination, teaches or suggests, "calculating a registration fee when the data are registered," as recited in the claims. As explained above, Brady simply discloses an activity value. As Busche simply discloses mapping positions of objects, the combination of references do not teach or suggest the above-identified feature of the claims.

Applicants respectfully submit that independent claim 42 is patentable over the references, as neither reference, alone or in combination, teaches or suggests, "a fee collection

unit collecting a fee from a facility in response to providing to a user route information relating to the facility," as recited in the claim.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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